

There came on for consideration at a duly constituted meeting of the City Council and Mayor of the City of Gulfport held on the _____ day of _____, 2009, the following Ordinance, which was reduced to writing and presented in advance of the meeting for reading and examination.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL TEXT OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GULFPORT, MISSISSIPPI ADOPTED THE 29TH DAY OF JUNE, 1979, AS AMENDED, SECTION III DISTRICT REGULATIONS, (J) CHART OF PERMITTED USES, (2) SCHEDULE OF USES, RESIDENTIAL

WHEREAS, in the aftermath of Hurricane Katrina, the City of Gulfport has allowed placement of so-called “MEMA Cottages” on a temporary basis.

WHEREAS, it has become necessary to establish a new category in the District Regulations, Chart of Permitted under the Residential uses and to establish certain criteria for the long term placement of “MEMA Cottages” within the City of Gulfport.

WHEREAS, the Mayor and City Council of the City of Gulfport, Mississippi, find and do so determine, based upon the recommendation of the Gulfport City Planning Commission, that the following new category and text amendments should be added to the existing Comprehensive Zoning Ordinance for the long term placement of “MEMA Cottages”. The case file number is 0812PC250.

In Appendix A – Zoning, Section III District Regulations, (J) Chart of Permitted Uses, (2) Schedule of uses, Residential, should be amended to add a new classification for “MEMA Cottages”.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the official text of the Comprehensive Zoning Ordinance of the City of Gulfport, adopted the 29th day of June, 1979, as amended, be and the same is hereby amended to add a new classification under Section III District Regulations, (J) Chart of Permitted Uses, (2) Schedule of uses, Residential

	A-1	R-E	R-UE	R-1-15	R-1-10	R-1-7.5	R-1-5	R-2	R-3	R-4	R-O	R-B	B-1	B-2	B-3	B-4	I-1	I-2	I-3	SB	WF	AE	E-G
“MEMA Cottages” – allowed as noted subject to conditions set forth elsewhere in these ordinances	--	R	R	R	R	R	R	R	R	--	--	R	R	R	--	R	--	--	--	--	--	--	--

SECTION 2. That the regulations for the placement of MEMA Cottages on private property be and the same are established as follows:

REGULATIONS FOR PLACEMENT OF MEMA COTTAGES

1. These regulations are applicable only to the so-called “MEMA Cottages”, i.e., those cottages provided to certain qualified and eligible persons by and through the Mississippi Emergency Management Agency to serve as temporary housing following Hurricane Katrina.
2. “MEMA Cottages” eligible (hereinafter “Eligible ‘MEMA Cottages’”) for placement in the City of Gulfport on private property (i.e., outside of commercial mobile home parks) are those installed on private property as of December 1, 2008, and which meet all other applicable regulations and criteria as set forth herein.
3. Eligible “MEMA Cottages” shall be allowed as non-conforming structures in those zoning districts as set forth in the Chart of Permitted Uses.
4. Eligible “MEMA Cottages” must be and remain in compliance with the following regulations:
 - a. Must be in full compliance with the City of Gulfport Flood Damage Prevention Ordinance no later than May 1, 2009, and remain in compliance thereafter.
 - b. Must meet all applicable building codes regarding foundation and utility connections.
 - c. Must meet all setback requirements for the applicable Zoning District. Unless objected to by a City Department for reasons of public safety, exceptions to setback requirements may be granted by the planning staff where lot size requires.
 - d. May not be placed in utility easements, public rights-of-way, streets or alleys.
 - e. Must be owner occupied and located on property owned by the owner-occupant.
 - f. May not be converted to rental units.
 - g. Must be for single family residential use only.
 - h. May not be expanded or structurally altered in any way once they are installed by MEMA and inspected by the Urban Development Department of the City of Gulfport.
 - i. May not be located where pre-storm homes share or shared similar architectural standards or historical consistency except where all (i.e., 100% of) property owners within a 160’ radius of the subject property have consented, in writing, to the placement. The request for consent will be forwarded to the neighboring property owners by the Department of Urban Development and the request for consent shall be advertised in a newspaper of general circulation in the City. Failure of a neighboring property owner to respond to the letter or advertisement within fifteen (15) days of posting or advertisement, respectively, whichever is later, shall be deemed to be written consent to the placement.
5. Eligible “MEMA Cottages” shall be inspected quarterly by the Urban Development Department of the City of Gulfport to ensure continued compliance with the above regulations.

SECTION 3: For good cause being shown and the interest and welfare of the City of Gulfport, the citizens thereof require that the said Ordinance be in full force and effect immediately upon its passage and this Ordinance shall be in full force and effect from and after its passage, but shall nevertheless be published and enrolled as provided by law.

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by _____, seconded by _____ and was adopted by the following roll call votes, to-wit:

YEAS:

NAYS:

WHEREUPON the President declared the motion carried and the Ordinance adopted, this the day of _____, _____

(SEAL:)

ATTEST: ADOPT

CLERK OF THE COUNCIL

PRESIDENT

The above and foregoing Ordinance, having been submitted and approved by the Mayor, this the _____ day of _____, _____.

BRENT WARR, MAYOR